

### Remarks

Applicant has carefully considered the Office Action dated May 16, 2005. Applicant respectfully requests reexamination and reconsideration of the application.

Claims 1-27 stand rejected under 35 USC section 102(e) as anticipated by United States Patent 6,769,028, Sass et al., hereafter Sass. In setting forth the rejection, the Examiner has cited specific sections of Sass which are alleged to disclose the limitation of claims 1, 12, 16-17, 24, and 26, as well as their respective dependent claims.

Prior to addressing the rejections of the claims, Applicant respectfully request that the Examiner consider the following. According to the subject invention, a component of a graphic user interface in any of an application, browser or web page includes an evaluation component including a displayed command option *and* one or more evaluation icons useful in rating the immediate content or process. By selecting one of the evaluation icons, the user initiates both *execution of the displayed command option* and *recordation of an evaluation rating associated with the selected evaluation icon*. This process is set forth in detail in the subject specification with regard to the flow diagram of Figure 11, as follows:

Upon selection one of the evaluation icons by a user, UI module 240 initiates execution of the command or commands associated with the displayed command option, as illustrated by procedural step 1104. Such initiations may entail notifying application 220 which then executes the appropriate code. In the web server and applet embodiments this function may be performed directly by the web server or applet, respectively. Thereafter, evaluation module 230 registers the evaluation feedback data depending on which of the plurality of evaluation icons was selected by the user, as illustrated in procedural step 1106. As described previously, the process of registration of the evaluation feedback data may be performed with counters or updating of records and may be either done locally or the evaluation feedback data buffered and/or transmitted to a remote system. In addition, this function of evaluation module 230 may be performed by a web server or applet, as described previously. Thereafter, the evaluation component may be hidden, deleted or minimized from the graphic user interface display by UI module 240, as illustrated by procedural step 1108.

(Serial No. 09/992,236, page 21, lines 15-28)

In the Sass reference, selection of one of the evaluation icons does not cause execution of a displayed command option. Sass does not disclose command options displayed in association with evaluation icons. Sass does not even disclose a specific evaluation component entity, only a GUI that has selectable icons for functions that are not associated with each other.

Claims 1, 12, 16-17, 24, and 26 have been amended and are believed not anticipated by Sass or obvious in light of Sass, whether considered singularly or in combination with any other art of record. For example, claim 1 now specifically recites a method including the limitations of displaying an evaluation component comprising at least one displayed command option and a plurality of evaluation feedback options and and “upon receipt of the user selection criteria identifying one of the plurality of evaluation feedback options, *initiating execution of the displayed command option and recording an evaluation rating associated with the identified one of the plurality of evaluation feedback options*” (Claim 1, lines 9-12). Claims 12, 16-17, 24, and 26 have been amended to recite similar limitations (Claim 12, lines 13-16; claim 16, lines 10-13; claim 17, lines 9-12; claim 24, lines 9-12; and claim 26, lines 9-12). Claims 6 and 22 have been canceled, without prejudice.

In setting forth the rejections of the claims, the Examiner has analogized icons 360 and 370 of the GUI 300 of Sass to the displayed command option limitations recited in the claims. The Examiner has further analogized “smiley” icon 390 and “frowny” icon 390 of Sass to the evaluation feedback options recited in the claims. Utilizing the Examiner’s same analogies in Sass, which Applicant does not admit are correct, would require selection of either “smiley” icon 390 or “frowny” icon 390 to initiate execution of the either icons 360 or 370. However, Sass does not disclose such a teaching. In fact, the functions executed by selection of either icons 360 or 370 are unrelated to the feedback operations initiated by the selection of either of icons 390. In Sass, there are no displayed command options associated with icons 390. Conversely, in the present invention, for example, selection of any of the feedback regions within the evaluation component of Figures 4A-10B, causes the exemplary displayed command option command, such as “Close” “Done” “Next Slide” “Back” and “Forward”, which are specifically displayed as part of the same evaluation component, to be executed. Sass

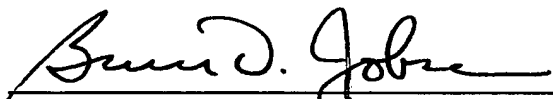
does not disclose a system or technique in which selecting one of the evaluation icons, both initiates *execution of the displayed command option* and *recording of an evaluation rating associated with the selected evaluation icon*, as now recited in each of the pending independent claims.

Claim 2 has been amended to now recite "modifying the display of the evaluation component on the graphic user interface" while claims 3-5 has been amended to correct their respective dependencies. Similar amendments have been made to claims 18-21, respectively, as well as to claims 13-15 and the other dependant claims, where applicable.

In light of the foregoing, claims 1, 12, 16-17, 24, and 26 and enter their respective dependent claims, as applicable, are believed not anticipated by Sass or obvious in light of Sass, whether considered singularly or in combination with any other art of record.

Applicant believes the claims are in allowable condition. A notice of allowance for this application is solicited earnestly. If the Examiner has any further questions regarding this amendment, he/she is invited to call Applicant's attorney at the number listed below. The Examiner is hereby authorized to charge any fees or credit any balances under 37 CFR §1.17, and 1.16 to Deposit Account No. DA-12-2158.

Respectfully submitted,



Date: \_\_\_\_\_

8/11/05

Bruce D. Jobse, Esq. Reg. No. 33,518  
KUDIRKA & JOBSE, LLP  
Customer Number 021127  
Tel: (617) 367-4600 Fax: (617) 367-4656